REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 2, 5, 9 and 10 are requested to be cancelled.

Claims 1, 4 and 8 are currently being amended.

Claims 11-13 have been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 3-4, 6-8 and 11-13 are now pending in this application.

Applicant appreciates the courtesy extended by the Examiner during the telephonic interview conducted on December 16, 2003. Applicant further appreciates the Examiner's documentation of the interview in an Interview Summary faxed to Applicant's representative on December 18, 2003.

Claims 1-10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,993,068 to Piosenka et al. (hereinafter "Piosenka"). Applicant respectfully traverses the rejection of the claims, as amended, for at least the following reasons.

The present invention relates to a personal identification system and method employing living body characteristics, such as finger prints, voice prints, etc. A system according to an embodiment of the invention, as illustrated in Figures 1 and 2, includes a personal identification device 100. The device 100 includes a reader/writer 70 that is adapted to read data from and

-6-

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PAGE 9/11 * RCVD AT 2/18/2004 8:01:34 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID: * DURATION (mm-ss):05-22

write data to a portable storage media, such as IC card 200. The device 100 also includes various detectors for detection of living body characteristics of a user.

In operation, a user presents the portable storage media to the device 100 at, for example, an access point to a secured area. In this regard, it is apparent to those skilled in the art that the device 100 is positioned at the access point for use by multiple users. Thus, Applicant notes the distinction between a "portable" storage media 200 and the device 100, which is not "portable", as the word "portable" is used in the application.

The portable storage media 200 may have at least one living body characteristic of the user stored thereon. When the portable storage media 200 is presented to the device 100, a living body characteristic of the user is detected and compared with the data stored on the portable storage media. An identification algorithm for personal identification is stored on the portable storage media.

By sharp contrast, Piosenka fails to teach or suggest a "portable storage media [which] stores therein an identification algorithm for personal identification." Piosenka discloses a system having an authorization portion (Piosenka, Figure 1) at which a user can request the generation of identity credentials. Piosenka, col. 4, lines 30-33. Information gathered from the user is then combined to form a composite data set (CDS) which is transferred to credentials produced for the user. The credentials may be in the form of a hard copy written on to a "credit card" sized card having memory. Piosenka, col. 6, lines 36-48. The credentials can then be presented to a verification portion, which provides for identification and access control based on the credentials presented. Piosenka, col. 7, lines 38-43 and Figure 2. Te verification portion includes a processor 4 (Piosenka, Figure 2) which includes a trait processor and comparison logic 37 for comparing the data obtained from the user with that read from the credentials card 3. Thus, the identification algorithm in Piosenka is on the processor 4 of the verification portion, not on the "portable storage media", the credentials card 3.

-7-

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PAGE 10/11 * RCVD AT 2/18/2004 8:01:34 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID: * DURATION (mm-ss):05-22

During the telephonic interview, the Examiner interpreted the processor 4, including the trait and comparison logic 37, as part of the portable storage media. Applicant respectfully disagrees with this interpretation of the prior art.

It is clear from the specification that the only portable component in Piosenka is the credentials card 3. which does not include the processor 4. There is no suggestion in Piosenka of